

DIVISION OF SPECIAL EDUCATION

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State Advisory Council on the Education of Children With Disabilities

**January 11, 2002  
Holiday Inn, North  
Indianapolis, Indiana**

**Advisory Council Members present:**

David Schmidt, Julie Swaim, Carolyn Heier, Mary Ramos, Brett Bollinger, Jackie Pitman, J. Bret Lewis, Marcia Johnson, Terry Huser

**Steering Committee Members present:**

David Schmidt, Brett Bollinger, J. Bret Lewis, Jackie Pitman, David Mank, Richard Burden, Amy Cook Lurvey, John Nally, Denise Arland, Julie Wickham

**DOE Staff present:**

Bob Marra, Paul Ash, Becky Bowman, Demaris Stewart, Brenda Alyea, Connie Rahe, Sheron Cochran, Joe Bear

**First Steps Staff present:**

Carole Stein, Beth Eiler, Dawn Downer, Gary Keith, Jan Bledsoe

GLARRC: Carolyn Coston

David Schmidt convened the joint meeting of the Advisory Council and the Steering Committee at 9:10 a.m. The minutes of December 7, 2001, meeting were reviewed. Brett Bollinger moved to approve the minutes as written. Julie Swaim seconded the motion. No discussion ensued, and the motion passed unanimously.

Attendee introductions were made. Bob Marra announced the Division of Special Education has been renamed as the Division of Exceptional Learners as it encompasses both special education and the gifted/talented program.

Bob indicated the purpose of today's meeting is to review of current version of CIM State Self-Assessment Report for Part B and Part C. The rating scales submitted were reviewed and tallied. The cumulative results indicate several areas of consensus, as well as areas where the respondents' ratings were more diverse.

Paul Ash reported that updated CIM self-assessment report notebooks had been provided to members. The current notebook represents a "polished" version of the document provided at the

December 7 meeting. The revisions in the current notebook reflect input from the December 7 meeting, as well as other sources.

The Steering Committee reviewed each of the components as follows:

**1. Component BP1: Parent involvement is advanced through training and information dissemination to parents, youth with disabilities, and staff.**

RATINGS: *Below Expectations* 4

*Meets Expectations* 5

*Exceeds Expectations* 1

Various members explained his or her rationale for rating this component as "below" or "met" expectations such as: (1) no documentation of collaboration or increased involvement; (2) parent feedback predicated on survey responses with limited survey responses; (3) survey responses were somewhat inconsistent with anecdotal information from actual work with parents; (4) difficulty discerning what data really meant; (5) statewide strength with INSOURCE; and (6) some districts reported increases. Bob agreed that even if this component is rated as "meets expectation," it remains a priority with the Division.

David Mank offered that there are no absolutes in saying a component is "below" or "meets" expectations. The key is that we recognize that even if a component is rated as "meets expectation," it doesn't mean that it's acceptable and that no further attention needs to be paid. We must continue striving for improvement.

Members discussed some of the obstacles to reaching parents and quantifying parental participation. Suggestions included: (1) having more specific parameters for defining parent participation; (2) distinguishing between parent participation in case conference committee meetings and parent training activities; and (3) looking at participation in training activities as more than attendance. It is also important to look at the number of students enrolled in a given school corporation to give meaning to the number reported for parent participation activities.

Amy Cook Lurvey moved that the committee approve a rating of "meets expectations" for this component. John Nally seconded the motion. No further discussion was had. The committee was unanimous in its vote to approve the rating.

**2. Component BF2: Special education and related services are available to meet the unique individual needs of children with disabilities.**

RATINGS: *Below expectations* 4

*Meets expectations* 5

*Exceeds expectations* 1

Members' discussion identified some concerns with this component and its rating: (1) if one student's needs aren't being met, we're below expectation, but we have to look at the vast majority of students with unique needs; (2) complaints are not the ultimate indicator, although a comparison of the number of students with IEPs and the number of complaints helps quantify it in some respects; and (3) information/conclusions are questionable because most of the data is

"improvement" data, does not really quantify, and is not supported. Members agreed that schools probably do a good job of addressing students' needs, but the question is whether schools are actually meeting the needs.

Brett Bollinger moved and John Nally seconded the motion to rate component BF2 as "meets expectations." More discussion ensues: (1) if responses were primarily from LEA self-reporting that it experienced improvement, we don't know how poor it started, and anything not close to 100% is really bad; (2) don't have any way to quantify "doing better 70% of the time;" and (3) this section judges mechanics not the results of the child's educational process - we do very well in the mechanics.

Members' vote: 8 in favor and 2 opposed. Motion to rate BF2 as "meets expectations" passes.

Members continued to discuss the degree of "meets expectations" and the need for continued focus on improving.

### **3. Component BF1: The needs of children with disabilities are determined based on information from an appropriate evaluation.**

RATINGS: *Below expectations* 4

*Meets expectations* 5

*Exceeds expectations* 1

Bret Lewis moved, and John Nally seconded the motion that component BF1 be rated as "meets expectations." Members discussed rationale for "below expectations" rating, including: (1) performance indicator 26 shows a significant number of referrals exceeding the 60-day timeline; (2) significant number of LEAs not reporting improvement; (3) performance indicator 86 shows a low percentage of improvement and overrepresentation; (4) no actual data included in report; and (5) problem with lack of definition of "appropriate evaluation." Discussion on "meets expectations" rating indicated no major problems identified.

Members' vote: 9 in favor and 1 opposed. Motion to rate BF1 as "meets expectations" passes.

### **4. Component BP3: Programs and services for children with disabilities are improved because parents are actively involved in program improvement activities.**

RATINGS: *Below expectations* 4

*Meets expectations* 6

*Exceeds expectations* 0

Rich Burden moved, and Denise Arland seconded the motion that component BP3 be rated as "below expectations."

Members discussed reasons for "below expectations" rating: (1) personal experience does not support that parents are actively involved in program improvement; (2) survey results may indicate improvement, but there are no details or data to support; (3) other performance indicators show 15% to 20% no improvement.

Members' vote: 3 in favor and 7 opposed. Motion to rate BP3 as "below expectations" fails.

Brett Bollinger moved, and Bret Lewis seconded a motion to rate component BP3 as "meets expectations."

Members discussed higher rating and concurred that, although the state may "meet expectations" for this component, it falls at the low end of the rating. Discussion also included the following concerns: (1) improvement data doesn't provide a lot of relevant information or demonstrate improvement; (2) conclusion is somewhat inconsistent with anecdotal and personal experience; (3) LEAs are reporting improvement, but parents report less satisfaction; (5) input from public sessions provides some support; and (6) "improvement" is not sufficiently defined nor are parameters for comparison.

It was suggested that the final report contain some detail about the component ratings, although this may be more important for state use than federal use. Bob concurred with this and added that determining baselines/benchmarks and acceptable levels of performance needs to be done before the next round of state monitoring. Standardizing data reporting and collection is also important. Brett Bollinger added that the state may need to focus on specific areas in depth, but we need to prioritize those areas first.

## **5. Component BF5: Appropriate services are provided to address behavioral needs of children with disabilities.**

RATINGS: *Below expectations* 3

*Meets expectations* 7

*Exceeds expectations* 0

Bret Lewis moved, and Rich Burden seconded the motion to rate component BF5 as "below expectations." Members discussed the proposed rating: (1) data insufficient to make comparisons and to demonstrate "meets expectations;" (2) the correlation assumed between dropouts and behavioral needs is not necessarily accurate; and (3) paucity of services means some behavioral/mental health issues are not addressed.

Members' vote: 4 in favor and 6 opposed. Motion to rate component BF5 as "below expectations" fails.

Brett Bollinger moved and Rich Burden seconded the motion to rate component BF5 as "meets expectations. Discussion resulted in agreement that the state needs to provide an explanation in its report that, although the committee finds that it "meets expectations" in this area, it is a minimal "meets expectations."

Members' vote: 8 in favor and 2 opposed. Motion to rate component BF5 as "meets expectations" passes.

**6. Component BF6: Appropriate special education and related services provided by the public agency at no cost to the parent, including children placed out of district by the agency.**

RATINGS: *Below expectations* 0

*Meets expectations* 5

*Exceeds expectations* 5

Bret Lewis moved and David Mank seconded the motion that component BF6 be rated as "meets expectations. Member discussion of how to distinguish between "meets" and "exceeds" and that rating system is for delivery of services not outcomes. Agreement that Indiana is providing significant funding for community supported and residential services, including children placed out of district, and that this results in reduced cost to the LEAs and no cost to the parents.

Members' vote: 2 in favor and 8 opposed. Motion to rate component BF6 fails.

Amy Cook Lurvey moved and John Nally seconded the motion to rate component BF6 as "exceeds expectations." No discussion ensued.

Members' vote: 9 in favor, 0 opposed, and 1 abstained. Motion to rate component BF6 as "exceeds expectations" passes.

**7. Component BF3: Appropriately trained administrators, teachers, paraprofessionals, and related service personnel provide services to children with disabilities.**

RATINGS: *Below expectations* 3

*Meets expectations* 6

*Exceeds expectations* 1

Bret Lewis moved, and Brett Bollinger seconded a motion to rate component BF3 as "below expectations." Members discuss the fact that personnel shortages nationwide and in Indiana should not result in a lower rating. It is a universal problem, so other states are having the same difficulties. In Indiana there are problems with lack of VI teacher training program, OT/PT shortages, and a high number of limited EH licenses. Also raised was the issue of how Indiana may be exacerbating this problem in the area of speech-language pathologists because of the position of the professional association for speech-language pathologists.

Brett Bollinger offered that the operative word is "trained" rather than certified. The data makes it look like Indiana is not doing well given high number of limiteds; but the SEA and LEAs put lots of money into training (CSPD). If the issue is availability, there are problems, although the SEA actively seeks out of state resources to assist in VI, OT/PT, etc.

Members' vote: 3 in favor and 7 opposed. The motion fails.

Rich Burden moved, and John Nally seconded a motion to rate component BF3 as "meets expectations." No discussion ensues.

Members' vote: 8 in favor and 2 opposed. The motion to rate component BF3 as "meets expectations" passes.

**8. Component BF4: Appropriate special education and related services are provided to children with disabilities served by the public agency.**

RATINGS: *Below expectations* 3

*Meets expectations* 7

*Exceeds expectations* 0

John Nally moved, and David Mank seconded the motion that component BF4 be rated as "meets expectations." The members' discussion included the following concerns: (1) although services may be appropriate, there's no way to determine if they're effective; (2) ISTEP participation does not reflect students who are/are not passing ISTEP; (3) there continues to be a problem with transition from Part C to Part B services; (4) the key may be improvement "since when?" as high stakes testing has only been required since IDEA '97, and the rate of improvement since 1997 is probably better than the previous 15 years; (5) numbers are not accurate SEA needs to double check.

Members' vote: 5 in favor and 5 opposed. Chair votes in favor to break the tie. The motion to rate component BF 4 as "meets expectations" passes.

**9. Component GS1c: Systemic issues are identified and remediated through the analysis of findings from complaint investigations, due process hearings, and information and data collected from all available sources.**

RATINGS: *Below expectations* 1

*Meets expectations* 4

*Exceeds expectations* 5

John Nally moved, and Bret Lewis seconded the motion to rate component GS1c as "exceeds expectations." No discussion ensues.

Members' vote: 8 in favor and 2 opposed. The motion to rate component GS1c as "exceeds expectations" passes.

**10. Component BF8: All placement options are available to meet the individual needs of children with disabilities.**

RATINGS: *Below expectations* 2

*Meets expectations* 7

*Exceeds expectations* 1

John Nally moved, and David Mank seconded the motion that component BF8 be rated as "meets expectations." No discussion is had.

Members' vote: 10 in favor and 0 opposed. The motion to rate component BF8 as "meets expectations" passes unanimously.

**11. Component BF7: Continuous progress is made within the state's system for education accountability by children with disabilities.**

RATINGS: *Below expectations*: 2

*Meets expectations* 6  
*Exceeds expectations* 1

Bret Lewis moved, and John Nally seconded a motion to rate component BF7 as "meets expectations." No discussion by the members.

Members' vote: 10 in favor and 0 opposed. The motion to rate component BF7 as "meets expectations" passes unanimously.

**12. Component BF9: Appropriate special education and related services are provided to children with disabilities in the educational setting determined to be the least restrictive environment.**

RATINGS: *Below expectations*: 2  
*Meets expectations* 8  
*Exceeds expectations* 0

John Nally moved, and Bret Lewis seconded a motion to rate component BF9 as "meets expectations." No discussion by the members.

Members' vote: 8 in favor, 1 opposed, and 1 abstention. The motion to rate component BF9 as "meets expectations" passes.

**13. Component BF10: To the maximum extent appropriate, children with disabilities are educated and participate in activities and services with non-disabled peers.**

RATINGS: *Below expectations* 1  
*Meets expectations* 9  
*Exceeds expectations* 0

Bret Lewis moved, and John Nally seconded a motion to rate component BF7 as "meets expectations." No discussion ensues.

Members' vote: 9 in favor, 0 opposed, and 1 abstention. The motion to rate component BF10 as "meets expectations" passes.

**14. Component GS1a: Parents and eligible youth with disabilities are aware of, and have access to their right to effective systems for parent and child protections.**

RATINGS: *Below expectations* 1  
*Meets expectations* 5  
*Exceeds expectations* 4

**Component GS1b: The provision of early intervention services and a free appropriate public education to children with disabilities is advanced by the timely resolution of complaints, mediations, due process hearings, and methods for ensuring compliance that correct identified deficiencies.**

RATINGS: *Below expectations* 0

*Meets expectations* 0  
*Exceeds expectations* 10

**Component GS3: Appropriate special education and related services are provided to children with disabilities served in juvenile and adult correctional facilities in the state.**

RATINGS: *Below expectations* 2

*Meets expectations* 8

*Exceeds expectations* 0

**Component GS4: Appropriate special education and related services are provided to children with disabilities served in out-of-district placements (e.g. non-public schools, consortia, etc.) under the direction and supervision of the public agency, and in state-operated programs (e.g., departments for mental health or mental retardation, schools for the blind and deaf, etc.).**

RATINGS: *Below expectations* 1

*Meets expectations* 9

*Exceeds expectations* 0

Rich Burden moved, and Denise Arland seconded a motion to rate components GS1a, GS3, and GS4 as "meets expectations," and to rate component GS1b as "exceeds expectations." No discussion by members.

Members' vote: 10 in favor and 0 opposed. The motion to rate components GS1a, GS3, and GS4 as "meets expectations" and to rate GS1b as "exceeds expectations" passes unanimously.

**15. Component BT1: Appropriate services are provided to prepare youth with disabilities for employment, postsecondary education, independent living, community participation, and life skills.**

RATINGS: *Below expectations* 9

*Meets expectations* 1

*Exceeds expectations* 0

**Component BT2: Youth with disabilities are actively involved in appropriate transition planning.**

RATINGS: *Below expectations* 9

*Meets expectations* 1

*Exceeds expectations* 0

Rich Burden moved, and David Mank seconded a motion that components BT1 and BT2 be rated as "below expectations." No discussion ensued.

Members' vote: 10 in favor and 0 opposed. The motion to rate components BT1 and BT2 as "below expectations" passes unanimously.

**16. Component BP2: Appropriate services, including transition services, are received by children with disabilities when parents and youth with disabilities are actively involved.**



RATINGS: *Below expectations* 1  
*Meets expectations* 8  
*Exceeds expectations* 1

Bret Lewis moved, and John Nally seconded a motion to rate component BP2 as "meets expectations." No discussion by the members.

Members' vote: 10 in favor and 0 opposed. The motion to rate component BP2 as "meets expectations" passes unanimously.

Discussion of Part B component ratings concludes. Beth Eiler, the new Assistant Director in the Division of Family and Children who will oversee First Steps, advised that Part C rating sheets will be reviewed in the next part of the meeting and that the rating sheets will be accepted in the office until January 14, 2002. Further information will be provided to the steering committee members via e-mail. She also announced that a new director for the First Steps program had been hired.

Becky Bowman updated the Advisory Council on the final revisions to Article 7. Public hearings will be conducted on February 26, 2002, in Indianapolis, Columbus, and South Bend. Council members and other stakeholders will be provided with a copy of the revisions and the details of the public hearings in early February.

Amy Cook Lurvey advised the Advisory Council of the COVOH sponsored group looking at the issues of accountability, standards, and outcomes. Indiana needs to focus on students, including students with disabilities, and academic standards and to start the process at the beginning of the student's educational career. A similar group is working on "foundations" (similar to standards) for preschool students. ICASE members, superintendents, principals, parents, and other stakeholders

Are involved in this effort. Jackie Pitman suggested the Division might add this to the parent involvement indicators of the self-assessment.

The next Advisory Council meeting March 1, 2002. Terry Huser moved, and Marcia Johnson seconded the motion to adjourn the Advisory Council meeting. No discussion, and the vote on the motion was unanimous. The Advisory Council meeting adjourned at 1:00 p.m. The Steering Committee meeting continued.